

CHAPTER 77

Senate Bill 114

AN ACT

RELATING TO PUBLIC HEALTH AND SAFETY; PRESCRIBING STATE AND COUNTY RESPONSIBILITY FOR CHARGES RELATING TO MENTALLY RETARDED CHILDREN; CLARIFYING A STATUTE RELATING TO FUNDS OF THE DEPARTMENT OF MENTAL RETARDATION, AND AMENDING SECTIONS 4-116 AND 36-561, ARIZONA REVISED STATUTES.

Be it enacted by the Legislature of the State of Arizona:

Section 1. PURPOSE

The purpose of this act is to relieve the counties from bearing the full burden of charges for the maintenance of mentally retarded children and to require that the state partially assume the burden and responsibility for these children.

Sec. 2. Section 4-116, Arizona Revised Statutes, is amended to read:

4-116. RECEIPTS FROM CLUB LICENSES AND APPLICATIONS

NOTWITHSTANDING any other provision of law to the contrary all receipts derived from club licenses and applications therefor are appropriated to the ~~Arizona children's colony~~ DEPARTMENT OF MENTAL RETARDATION for buildings, equipment or other capital investments. All revenue so received by the department shall be paid weekly to the state treasurer, in accordance with the provisions of section 35-147, and credited to the ~~Arizona children's colony~~ DEPARTMENT OF MENTAL RETARDATION capital investment fund.

Sec. 3. Section 36-561, Arizona Revised Statutes, is amended to read:

36-561. ADMISSION TO A CENTER

A. The director shall review petitions for admission to the center, and may examine or cause to be examined the mentally retarded person, and may accept any petition for residential care provided he is satisfied that the retarded person is eligible for admission in all respects, and can benefit from the care and services available, and provided the necessary accommodations at the center are available.

B. The director shall notify the person making the petition for admission to a center in writing of his decision to accept or reject the petition, and of the amount which the mentally retarded person, or his estate, parent, or guardian liable for his support, shall pay to the board quarterly and in advance, for the cost of care. The amount payable by the mentally retarded person, his estate, parent, or guardian, for residential care shall be fixed by the director in accordance with the fees prescribed in section 36-562. THE COUNTY IN WHICH THE MENTALLY RETARDED PERSON RESIDES SHALL PAY that portion of the actual cost of care and maintenance at a center over and above the amount ordered paid by the mentally retarded person, his estate, parent, or guardian, ~~shall be paid by the county in which the mentally retarded person resides, and~~ PROVIDED THAT IN NO EVENT SHALL THE TOTAL OBLIGATION OF THE COUNTY EXCEED ONE HUNDRED SEVENTY-FIVE DOLLARS EACH MONTH FOR SUCH PERSON. The director shall notify the county board of supervisors of the date of

admission of the mentally retarded person, and of the amount ordered paid by the person, his estate, parent, or guardian.

Approved by the Governor—April 16, 1971

Filed in the Office of the Secretary of State—April 19, 1971
